

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
June 22, 1999, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation
- Pledge of Allegiance
- Approve the minutes of the previous meeting

PUBLIC AGENDA

1. Comments by Joe Langkiet.
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NEW BUSINESS

2. Appeal of Office of Central Inspection Denial to Renew Master Plumbing, Air Conditioning and Heating, and Refrigeration Licenses.

An appeal has been submitted for City Council consideration.

RECOMMENDED ACTION: Deny the appeal.

3. Request for Letter of Intent for Educational Facilities Revenue Bonds – Newman University. (District IV)

Newman University is requesting a six-month Letter of Intent to issue Educational Facilities Revenue Bonds in an amount not to exceed \$11,354,000.

RECOMMENDED ACTION: Approve a Letter of Intent for Educational Facilities Revenue Bonds in an amount not to exceed \$11,354,000, subject to conditions for a term of six months; and authorize the necessary signatures.

4. Request for Amended Letter of Intent for Industrial Revenue Bonds – Lee Aerospace, Inc. (District II)

Lee Aerospace is requesting an amendment to the March 17, 1999, Letter of Intent to increase the not to exceed amount by \$1 million.

RECOMMENDED ACTION: Close the public hearing; approve an amended Letter of Intent in an amount not to exceed \$4.5 million, subject to conditions for the remaining six months; and authorize the necessary signatures.

5. H.O.P.E., Inc. – Request for Tax Credits. (District I, VI)

H.O.P.E. Inc. has submitted an application to the Kansas Department of Housing for low income tax credits to fund renovation of 74 housing units.

RECOMMENDED ACTION: Close the public hearing; approve letter of support; and authorize the necessary signatures.

6. Preferred Developer Agreement for Old Town Development. (District VI)

David Burk is requesting City participation and designation as the preferred developer for a new phase of development in Old Town.

RECOMMENDED ACTION: Approve the developer agreement; and authorize the necessary signatures.

7. Communities that Care Survey.

A report will be presented on the survey administered by Wichita Public Schools, U.S.D. #259.

RECOMMENDED ACTION: Receive and file.

8. Control of Dangerous and Exotic Animals.

The Board of Health held public hearings to address the need for regulation of exotic animal exhibitions. The Board is recommending standards to enhance public health and safety.

RECOMMENDED ACTION: Adopt the Ordinance.

9. Sale of Property, 201/221 East Kellogg. (District I)

The City is selling two parcels of land that were acquired during construction of the Kellogg flyover project.

RECOMMENDED ACTION: Approve the agreement; and authorize the necessary signatures.

(7:00 p.m.)

10. A 99-8: The City of Wichita Seeks the Annexation of Land Generally Located North and South of Kellogg, Between 119th Street West and 167th Street West. (District V)

The City Council will conduct a public hearing at Ascension Lutheran Church, 842 N. Tyler.

RECOMMENDED ACTION: Close the public hearing; approve the annexation; and adopt the Ordinance

CITY COUNCIL AGENDA

11. Traffic Signal at Greenbriar and Rock Road. (Requested by Council Member Pisciotte)

The Penstemon Home Owners Association has requested a traffic signal at Greenbriar and Rock Road.

RECOMMENDED ACTION: Install temporary traffic signal.

12. Joint Resolution Recognizing a New Era of Cooperation and Civility Between the City of Wichita and Sedgwick County. (Requested by Mayor Knight/Council Member Pisciotte)

RECOMMENDED ACTION: Adopt the Resolution.

12a. Appointments to City Advisory Boards/Commissions.

RECOMMENDED ACTION: Make the appointments.

CONSENT AGENDA

13. Report of the Board of Bids and Contracts Dated June 21, 1999.

RECOMMENDED ACTION: Receive and file the report, approve the Contracts; and authorize the necessary signatures.

14. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>1999</u>	<u>(Consumption off Premises)</u>
Tim Heuback	Quiktrip #313	3164 South Hillside
Tim Heuback	Quiktrip #315	1530 South Maize Road
Tim Heuback	Quiktrip #320	1021 West 31 st South
Tim Heuback	Quiktrip #321	6011 West Central
Tim Heuback	Quiktrip #325	1414 North Oliver
Tim Heuback	Quiktrip #326	2010 South Broadway
Tim Heuback	Quiktrip #328	2801 South Hydraulic
Tim Heuback	Quiktrip #329	5602 East Harry
Tim Heuback	Quiktrip #343	242 South Tyler
Tim Heuback	Quiktrip #345	4020 South Meridian
Tim Heuback	Quiktrip #347	1532 South Seneca
Tim Heuback	Quiktrip #349	1112 West Douglas
Tim Heuback	Quiktrip #353	110 South Rock Road
Tim Heuback	Quiktrip #356	4808 South Hydraulic
Tim Heuback	Quiktrip #358	7120 West 21 st North
Tim Heuback	Quiktrip #360	3933 West 13 th
Tim Heuback	Quiktrip #366	1620 South Webb Road
Tim Heuback	Quiktrip #368	626 West 21 st North

Tim Heuback	Quiktrip #369	3216 East Harry
Tim Heuback	Quiktrip #372	3106 East Pawnee
Tim Heuback	Quiktrip #373	1610 East Lincoln
Tim Heuback	Quiktrip #374	10315 West 13 th
Tim Heuback	Quiktrip #376	2106 South Rock Road
Tim Heuback	Quiktrip #378	5611 South Broadway
Tim Heuback	Quiktrip #384	2510 West Pawnee
Tim Heuback	Quiktrip #386	1010 East Douglas
Tim Heuback	Quiktrip #388	7991 East 37 th North
Tim Heuback	Quiktrip #389	4730 East Central
Tim Heuback	Quiktrip #391	730 North Broadway
Tim Heuback	Quiktrip #396	333 South West Street
<u>New Establishment</u>	<u>1999</u>	<u>(Consumption on Premises)</u>
Paul A. Thomas	Swing-Rite Golf, Inc.	6655 East Harry
		<u>(Consumption off Premises)</u>
Iraj Kapanpour	AM Conoco (Aria Enterprise)	12700 East Central
Pat Edwards	Sav-A-Trip, Inc. #28	10502 West 21 st
<u>New Operator</u>	<u>1999</u>	<u>(Consumption on Premises)</u>
Richard A. Diamond	Ty's Diner*	928 West Second

*General/Restaurant -- 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve the licenses subject to Staff review and approval.

15. Plans and Specifications:

- a. Lateral 114, Dry Creek Sewer 2, Sanitary Sewer #12 to serve Davis Mt. Vernon Estates - north of Mt. Vernon, east of Hillside. (468-82764/743796/480484) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 8/25/97. (District III)
- b. Patterson from Broadway to the east line of Henry Jones Addition Bromilow's South Broadway Addition and Unplatted Tracts - west of Broadway. (472-82851/764381/490541) Traffic to be maintained through construction using flagpersons and barricades City Council approval date: 6/10/97. (District III)
- c. 32nd Street North from the east line of Coolidge to the west line of Porter Wilfred E. Wheeler's Replat Addition. (472-83020/765479/490649) Traffic to be maintained through construction using flagpersons and barricades City Council approval date: 10/20/98. (District VI)

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids by 10:00 a.m., July 2, 1999.

16. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids.

17. Partial Statement of Cost.

- a. (First partial) estimate of cost for the improvement to parking garage Keen Kutter Hotel - \$3,300,000, less financing previously issued - \$0. Financing to be issued at this time - \$3,300,000. – (791269/435-229)

RECOMMENDED ACTION: Approve and file.

18. Petitions for Public Improvements:

- a. Pave Cranbrook and construct a water distribution system to serve Huntcrest Second Addition – south of Harry, east of Webb. (District II)
- b. Paving, sanitary sewer and water distribution system to serve The Legacy Addition – west of Meridian, south of MacArthur. (District IV)

RECOMMENDED ACTION: Approve the Petitions and adopt the Resolutions.

19. Minutes of Advisory Boards/Commissions:

Board of Electrical Appeals, 5-11-99
CPO Southeast Council 3, 6-10-99
CPO Southwest Council 4, 6-10-99
MAPC, 4-15-99
Wichita Airport Authority, 5-3-99

RECOMMENDED ACTION: Receive and file.

20. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve the street closures/uses.

21. Agreements/Contracts:

- a. Design services for Oak Ridge Second Addition – north of 29th North, east of Tyler. (District V)
- b. Work Experience Program (WEP) - cooperative work site.

RECOMMENDED ACTION: Approve the Agreements/Contracts and authorize the necessary signatures.

22. Supplemental Agreement for Seneca From Texas to Mclean. (District IV)

RECOMMENDED ACTION: Approve the Supplemental Agreement; and authorize the necessary signatures.

23. Change Orders:

- a. Douglas Avenue Bridge over the Arkansas River. (Districts I, IV, and VI)
- b. 21st Street Improvement, east of Webb. (District II)

RECOMMENDED ACTION: Approve the change orders.

24. General Obligation Temporary Note Sale (Series 199) and General Obligation Bond Sales (Series 756, Series 757, Series 954, and Series 955).

RECOMMENDED ACTION: Adopt the Resolutions, authorizing and setting public sale of General Obligation Bonds and Notes for 10:30 a.m., July 20, 1999.

25. FY 1999 Comprehensive Grant Budget Submittal.

RECOMMENDED ACTION: Approve the grant program budget for submittal to HUD.

26. Water Treatment Plant Computer System Upgrade.

RECOMMENDED ACTION: Amend the CIP; and increase the funding allocation.

27. Construction of a 30-Inch Water Main at 21st From 127th East to West of Andover Road.

RECOMMENDED ACTION: Approve the project and notice of intent to publish; and adopt the Resolution.

28. Concessions at South Lakes Sports Complex, Proposal #1999-19. (District IV)

RECOMMENDED ACTION: Approve the vendor.

29. Second Reading Ordinances: (First read June 15, 1999)

- a Industrial district non-annexation Ordinances for Cessna Aircraft Company. (Districts III and V)

An Ordinance authorizing the execution of a Supplemental Contract to a Contract dated May 15, 1979, and amended July 21, 1987, by and between the City of Wichita, Kansas, and the Wallace Industrial District of Sedgwick County, Kansas, relating to the annexation by said city of any part of such industrial district.

- b. Weed cutting.

An Ordinance making a special assessment to pay for the cost of cutting weeds in the City of Wichita, Kansas.

- c. Z-3260 – east side of Meridian, on the south side of MacArthur Road. (District IV)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas. (Z-260)

- d. SCZ-0772– north of Central and east of Webb Road.

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas. (SCZ-0772)

RECOMMENDED ACTION: Adopt the Ordinances.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

*Consent Item

*30. V-2172 - Request to Vacate 10-Foot Utility Easement Located in an Area East of Broadway and North of Macarthur Road. (District III)

MAPC Recommendation: Approve Vacation of 10-foot utility easement.

Staff Recommendation: Approve Vacation of 10-foot utility easement.

RECOMMENDED ACTION: Follow the recommendation of the Metropolitan Area Planning Commission and approve Vacation Order; and authorize the necessary signatures.

31. V-2174 - Request to Vacate Access Control Located in an Area North of 21st Street and East of North Shore Boulevard. (District V)

MAPC Recommendation: Approve Vacation of access control.

Staff Recommendation: Approve Vacation of Access control.

RECOMMENDED ACTION: Follow the recommendation of the Metropolitan Area Planning Commission and approve Vacation Order subject to recording of a “raised medial covenant”; and authorize the necessary signatures when the covenant has been recorded.

*32. S/D 98-108 - Plat of Aberdeen 3rd Addition Located on the North Side of 21st Street North, East of 119th Street West. (District V)

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the documents and Plat; authorize the necessary signatures; adopt the Resolution; and approve first reading of the Ordinance.

*33. S/D 98-110 - Plat of Westport Industrial Park 7th Addition Located on the East Side of West Street, South of Pawnee. (District IV)

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the documents and Plat; authorize the necessary signatures; and adopt the Resolutions.

- *34. Z-3322 - Zone Change from “GO” General Office and “MF-29” Multi-Family to “LI” Limited Industrial, Located North of Harry and East of St. Francis. (District I)

MAPC Recommendation: Approve, subject to Platting within one year and to the additional provisions of a protective overlay.

CPO Recommendation: Approve, subject to Platting within one year and to the additional provisions of a protective overlay.

Staff Recommendation: Approve, subject to Platting within one year and to the additional provisions of a protective overlay.

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC and approve the zone change, subject to the additional conditions of a protective overlay; instruct the Planning Department to forward the Ordinance for first reading when the Plat is forwarded to the City Council; OR

2. Return the application to the MAPC for reconsideration.

35. P.O.-33 - Amendment #1 - Request for a Protective Overlay Amendment to Allow Construction of a 62 Unit Hotel, Located on Lots 1 & 2 of Plaza Central Office Park. Generally Located at the Southeast Corner of Central and Jackson. (District II)

MAPC Recommendation: Approve.

CPO Recommendation: Motion to Approve, subject to MAPD Staff comments.

Staff Recommendation: Approve.

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC and approve the amendment to the protective overlay #33; place the Ordinance establishing the zone change on first reading; OR

2. Return the application to the MAPC for reconsideration.

36. A 99-23 - The City of Wichita Proposes the Annexation of Property Generally Located ½ Mile South of 47th Street South on the East Side of Meridian Avenue. (District IV)

RECOMMENDED ACTION: Approve the annexation request; and first reading of the Ordinance.

Adjournment

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